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PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/798,192	
	Filing Date	March 11, 2004	
	First Named Inventor	SNYDER et al.	
	Art Unit	1645	
	Examiner Name		
Total Number of Pages in This Submission	69	Attorney Docket Number	5853-258-1CON

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30,577
Signature	
Date	9/15/04

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Date	9/15/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of SNYDER et al.

Application No. 10/798,192

Examiner:

Filed: March 11, 2004

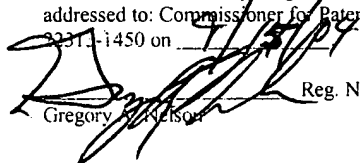
Group Art Unit: 1645

For: PRODUCTION OF PSEUDOTYPED RECOMBINANT AAV VIRIONS

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**

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\_\_\_\_\_  
Gregory A. Nelson  
Reg. No. 30,577

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. The enclosed documents were cited in a search report (copy attached) issued in the corresponding PCT application to the present invention, namely, Application no. PCT/US03/17933. Accordingly, no fee is due.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully requests that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

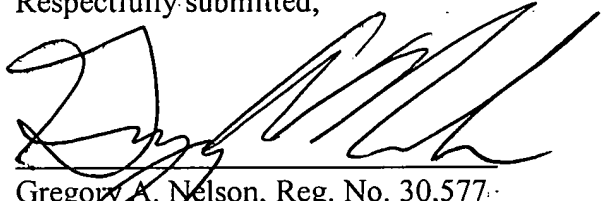
This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Dated: \_\_\_\_\_

9/15/04

Docket No. 5853-258-1CON

Respectfully submitted,



Gregory A. Nelson, Reg. No. 30,577  
AKERMAN SENTERFITT  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000



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Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/798,192
Filing Date	March 11, 2004
First Named Inventor	SNYDER et al.
Art Unit	1645
Examiner Name	
Attorney Docket Number	5853-258-1CON

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

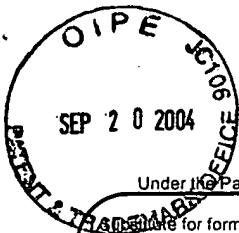
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/798,192
Filing Date	March 11, 2004
First Named Inventor	SNYDER et al.
Art Unit	1645
Examiner Name	
Attorney Docket Number	5853-258-1CON

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Bowles, D. et al.: Marker Rescue of Adeno-Associated Virus (AAV) Capsid Mutants: a Novel Approach for Chimeric AAV Production. Journal of Virology. January 2003, Vol. 77, No. 1, pages 423-432	
		Cao, L. et al.: Replication Competent Helper Functions for Recombinant AAV Vector Generation. Gene Therapy. 2002, Vol. 9, pages 1199-1206	
		Mendelson, E. et al.: Identification of the trans-Acting Rep Proteins of Adeno-Associated Virus by Antibodies to a Synthetic Oligopeptide. Journal of Virology. December 1986, Vol. 60, No. 3, pages 823-832	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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